

SENATE CONCURRENT RESOLUTION NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR DYSON

Introduced: 5/19/03

Referred: Community and Regional Affairs, State Affairs

A RESOLUTION

1 **Requesting the Local Boundary Commission to consider borough incorporation for**
2 **certain areas.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** the purpose of the local government article of the Constitution of the
5 State of Alaska is to provide for maximum local self-government with a minimum of local
6 government units, and to prevent duplication of tax-levying jurisdictions; and

7 **WHEREAS** Article X, sec. 1, Constitution of the State of Alaska, encourages
8 organization of boroughs to achieve the purpose of the local government article; and

9 **WHEREAS** the local option method of borough incorporation, first enacted in 1961
10 and currently codified in AS 29.05.060 - 29.05.150, has been generally ineffective in
11 promoting the fundamental constitutional objective of achieving maximum local government
12 and borough organization; and

13 **WHEREAS** the Local Boundary Commission has authority under art. X, sec. 12,
14 Constitution of the State of Alaska, to present borough incorporation proposals to the
15 legislature; and

16 **WHEREAS** the provisions of AS 44.33.812 require the Local Boundary Commission

1 to adopt regulations providing procedures for borough incorporation; and

2 **WHEREAS** the Local Boundary Commission has adopted procedures for
3 incorporation of boroughs under 3 AAC 110.400 - 3 AAC 110.660, including procedures in 3
4 AAC 110.610 for legislative review under art. X, sec. 12, Constitution of the State of Alaska;
5 and

6 **WHEREAS** the people of the communities in the areas identified for incorporation in
7 this resolution have been frustrated for a long time in their efforts to organize the areas in
8 which they are located as they want; and

9 **WHEREAS** the present law and model borough studies have not allowed the kind of
10 self-determination the people of these communities desire; and

11 **WHEREAS** the provisions of AS 44.33.812 require the Local Boundary Commission
12 to consider borough incorporation for areas requested of it by the legislature;

13 **BE IT RESOLVED** that the Alaska State Legislature requests the Local Boundary
14 Commission to consider borough incorporation for the following areas:

15 (1) Skagway Borough - bounded on the north and east by the United States -
16 Canada border; bounded on the south and west by the Haines Borough boundary; the northern
17 point is Mount Foster at the United States - Canada border known as "Boundary Peak 123,"
18 135 degrees 30 minutes West longitude; from there running southeast conterminous with the
19 United States - Canada border for approximately 31 miles to the Mount Bagot area where it
20 intersects with the Haines Borough boundary; from there running due west for approximately
21 12 miles to the middle of Taiya Inlet, at approximately 135 degrees 22 minutes, West
22 longitude, and close to the western edge of Range 60 East, Copper River Meridian, which is
23 the southernmost point; from there running approximately 29 miles in a northwesterly
24 direction to the United States - Canada border, conterminous with the Haines Borough
25 boundary and intersecting with the United States - Canada border just east of the Chilkat
26 Glacier at "Boundary Peak 124"; from there running about 9.5 miles northeast along the
27 United States - Canada border to the starting point at Mount Foster;

28 (2) Eagle River Borough - includes the areas of Elmendorf Air Force Base,
29 Fort Richardson, South Fork, Eagle River Valley, Eagle River, Birchwood, Peters Creek,
30 Eklutna, and Eklutna Lake, and the land to the Matanuska River;

31 (3) Wrangell Borough - boundaries are coterminous with the Wrangell Ranger

District boundaries established by the United States Forest Service, as depicted in the Tongass National Forest Secondary Base Map Series on Sheet Nos. 18 (1982), 19 (1982), 21 (1980), 22 (1980), 23 (1983), 24 (1983), 26 (1980), and 27 (1980), except that the northern boundary of the Wrangell Borough shall commence from a point beginning at the western boundary of the Wrangell Ranger District at the northernmost point of Pocket Island, thence proceeding in a generally northeasterly direction to the westernmost point of land in Township 59 South, Range 83 East, Copper River Meridian, Section 1, thence proceeding in a generally northeasterly direction along the watershed divide between LeConte Bay and the Stikine River, including Wilkes Peak, to the international boundary between Canada and the United States;

(4) Delta Borough - boundaries are coterminous with the Delta/Greely regional educational attendance area; and be it

FURTHER RESOLVED that the Alaska State Legislature requests the Local Boundary Commission to present a recommendation for borough incorporation under the legislative review method in art. X, sec. 12, Constitution of the State of Alaska, for each model borough listed in this resolution that is determined by the Local Boundary Commission, with any appropriate amendments or conditions, to meet applicable borough incorporation standards under the Constitution of the State of Alaska, Local Boundary Commission regulations, AS 29.05.031 and 29.05.100; and be it

FURTHER RESOLVED that the Alaska State Legislature requests the Local Boundary Commission to include in each legislative review recommendation for borough incorporation submitted under this resolution, details concerning the class, name, boundaries, assembly composition and apportionment, proposed operating budget, taxes, and other areawide and nonareawide powers to be exercised, measures to ensure a smooth transition to organized borough status, and other elements essential to the establishment of each particular recommended borough; and be it

FURTHER RESOLVED that the Alaska State Legislature requests the Local Boundary Commission to recommend to the legislature changes to statute, regulation, and policy to minimize the difficulty in organizing as boroughs the areas described in this resolution.

COPIES of this resolution shall be sent to the Honorable Frank Murkowski, Governor

1 of Alaska; the Honorable Darroll Hargraves, Chair, Local Boundary Commission; and to the
2 Honorable Edgar Blatchford, Commissioner, Department of Community and Economic
3 Development.